



SCHNEIDER WALLACE COTTRELL KONECKY LLP FIRM PROFILE

Schneider Wallace Cottrell Konecky ("SWCK") is one of the nation's premier plaintiffs' law firms. SWCK is one of the largest plaintiffs' law firms in the western United States.

With offices in California, Texas, and Puerto Rico, SWCK and its attorneys have litigated in nearly every state in the country. In most of these cases, the firm has served as Lead or Co-Lead Counsel.

SWCK's clients have enjoyed the firm's record of success. The firm has, for a long time and successfully, represented clients against the largest corporations in the country. The firm has won verdicts and procured settlements collectively worth hundreds of millions of dollars. SWCKW has a thriving class action practice representing workers, consumers, and investors. At the same time, the firm represents institutional clients such as major health insurers, private investment funds, community and regional banks, Fortune 100 insurance companies, cities, public financing districts, hospitals, and educational institutions as plaintiffs.

In carrying out its mission to help its clients combat large-scale injustice, unfairness, and other wrongful conduct, SWCK provides a level of sophistication and service traditionally available only to large corporate defendants. The firm has particular expertise in cases involving ERISA, financial services fraud, antitrust violations, and other complex litigation, among other practice areas. SWCK and its attorneys have litigated hundreds of such cases, including the following:

In Re J.P. Morgan Stable Value Fund ERISA Litigation, Case No. 1:12-cv-02548 (S.D.N.Y.); Obtained class certification and appointed class counsel in an ERISA fiduciary breach action brought on behalf of a class of 401(k) plans against JPMorgan concerning imprudent investments in the Plans' stable value funds. The parties reached a \$75 million settlement on behalf of the Class.

Glass Dimensions, Inc. Profit Sharing Plan & Trust v. State Street Bank & Trust Co., No. 10-cv-10588 (D. Mass.); ERISA fiduciary breach litigation in which Schneider Wallace obtained class certification and was appointed class counsel. The case settled for \$10 million as well as substantial injunctive relief.

Daugherty et al v. University of Chicago, Case No. 1:17-cv-03736 (N.D. Ill.) (ERISA case, settled for \$6.5 million);

Dennard v. Transamerica Corporation, No. 1:15-cv-00030-EJM (N.D. Iowa) (ERISA case, \$3.8 million cash settlement and approximately \$8 million in prospective fee reductions);

Bilewicz v. FMR LLC, No. 13-10636 (D. Mass.) (ERISA case, \$12 million cash and structural changes);



Diebold v. Northern Trust Investments, Civil Action No. 09-7203 (N.D. Ill.) (ERISA case, \$36 million cash settlement).

Rosa v. Morrison Homes: Statewide construction-defect case, alleging that Morrison Homes failed to build homes in compliance with applicable laws, resulting in a \$6 million settlement.

Lopez v. SFUSD: Disability access class action, resulting in a judgment that required defendant to implement remedies valued at more than \$300 million.

Satchell v. FedEx Express, Inc.: Class action on behalf of approximately 20,000 current and former employees of FedEx, resulting in a \$54.9 million settlement.

Holliman v. Kaiser Foundation Health Plan: Claims on behalf of Kaiser employees, resulting in a \$9 million settlement.

National Federation of the Blind v. Target Corporation: Nationwide lawsuit against Target, resulting in broad injunctive relief and \$6 million in damages, which is the largest damages fund in any lawsuit brought on behalf of blind plaintiffs.

Labrador v. Seattle Mortgage Co.: Statewide consumer fraud case alleging that the defendant systematically violated the federal reverse mortgage program consumer protection regulations by charging improper loan-related fees, resulting in a \$4 million settlement.

SCHNEIDER WALLACE COTTRELL KONECKY LLP ATTORNEY PROFILES

SWCK's attorneys are passionately devoted to seeking justice for their clients. The firm's attorneys are nationally recognized experts-winning groundbreaking cases, obtaining record judgments, and, in the process, garnering praise from their peers, courts and clients. The attorneys below, among others, will work on this matter:

Todd M. Schneider--- Todd Schneider founded SWCK in 1993. He has an extensive background in complex litigation in the areas of employment, consumer rights, financial service, ERISA and antitrust. He has numerous court victories in both jury and bench trials alike. He has argued cases in courts at every level from trial courts to the United States Supreme Court.

Mr. Schneider is a published author and he lectures widely. He is a past president of The San Francisco Trial Lawyers Association and has served as vice president for Consumer Attorneys of California.

Mr. Schneider was named Trial Lawyer of the Year by the San Francisco Trial Lawyers' Association and he has been honored as a Super Lawyer in the area of class actions and mass torts by San Francisco Super Lawyers Magazine for each year that the list has been published. He has twice been a finalist for the Consumer Attorneys of California's prestigious Consumer Attorney of the Year award. He is A V® Preeminent™ Peer Review Rated by Martindale Hubbell and received a rating of "superb" by AVVO.

Mr. Schneider was appointed by the Chief Justice of the California Supreme Court to serve on California's Advisory Committee on Civil Jury Instructions, the body that writes the Judicial Council of California Civil Jury Instructions. He has served on that committee for over a decade alongside a select group of the state's elite trial lawyers, judges, and appellate justices.

Jason H. Kim – Mr. Kim is a partner at SWCK. He graduated *magna cum laude* from Harvard Law School and Phi Beta Kappa from Harvard College. Prior to joining SWCK, he was an associate and counsel at O'Melveny & Myers LLP in Los Angeles and Alston Hunt Floyd & Ing (now Dentons) in Honolulu, Hawai'i. He also served as a Deputy Prosecuting Attorney for the City and County of Honolulu.

Mr. Kim represents plaintiffs in complex civil litigation, including class actions and actions against financial institutions. He has substantial trial experience in securities fraud, health care, and civil rights matters and has argued several successful appeals before the Ninth Circuit and other federal appellate courts. He has served as class counsel in several class actions against the State of Hawai'i to vindicate the rights of disabled individuals, public benefit recipients, and public housing tenants that led to substantial settlements and served as class counsel in class actions brought under the Individuals With Disabilities Education Act against three state governments, two of which were resolved in favor of plaintiffs and one of which is pending. He is also the co-author of the Hawai'i section of the American Bar Association's Practitioner's Guide to Class Actions.

Matthew S. Weiler—Mr. Weiler has more than fifteen years' experience litigating antitrust and securities matters in California state court and federal courts across the U.S. Mr. Weiler graduated *cum laude* from the University of Michigan Law School.

Prior to joining SCKW, Mr. Weiler was an integral member of the team that collected \$399 million in settlements for California purchasers of the drug Cipro, one of the largest cash settlements ever achieved under California antitrust law. Mr. Weiler also helped obtain over \$200 million in settlements on behalf of direct purchasers of capacitors from members of an international price-fixing cartel, and pursued monopolization claims against the United Fighting Championship under Section 2 of the Sherman Act. Mr. Weiler has litigated claims related to "naked short-selling," an allegedly manipulative stock trading practice, successfully defending a prominent national prime broker against claims under California's "Blue Sky" laws. Additionally, Mr. Weiler additionally was also part of a team that recovered over \$300 million under for claims under RICO related to cheating on emissions testing in *In re Chrysler-Dodge-Jeep EcoDiesel Marketing, Sales Practices and Products Liability Litigation*, 17-md-2777 (N.D. Cal.).

Kyle G. Bates - Mr. Bates currently represents a class of indirect purchasers of foreign exchange instruments, *Contant v. Bank of America*, 16-cv-07512-LGS (S.D.N.Y.). Mr. Bates also represents institutional plaintiffs in several ongoing antitrust matters, including multidistrict litigation concerning the pricing and marketing of generic pharmaceuticals.



In addition to his California bar admission, Mr. Bates is licensed to practice law in the United States District Court for the District of Puerto Rico, and represents the Commonwealth of Puerto Rico in ongoing litigation concerning breaches of Puerto Rico's data privacy laws. He also represents the Commonwealth of Puerto Rico in cases involving allegations of price-fixing and antitrust violations, including as a direct action plaintiff in *In Re Broiler Chicken Antitrust Litigation*, 16-cv-08637 (N.D. Ill.). Mr. Bates has also represented both individuals and corporate clients in arbitration before the Financial Industry Regulatory Authority ("FINRA").